

1003

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

OA No. 165/2020

(Earlier OA No. 122/2015 WZ)

IN THE MATTER OF :

Samita Rajendra Patil & Ors.

...Applicants

Versus

Jindal Steel Works & Ors.

...Respondents

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Through:



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PLACE: New Delhi

DATE: 08/08/2022

1004

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

OA No. 165/2020

(Earlier OA No. 122/2015 WZ)

Samita Rajendra Patil & Ors.

.... Applicants

versus

Jindal Steel Works & Ors.

.... Respondents

Affidavit on Behalf of Respondent No.1 and Respondent No. 2

("Respondents")

1. That I Mr. Narayan Budappa Bolbunda, aged 54, am the Authorised Representative of the Respondents No. 1 and 2 having its office at JSW Steel Ltd, Dolvi Works, at Post Geetapuram, Dolvi, Taluka – Pen, District - Raigad and am conversant with the facts and circumstances of this case and am competent to depose this affidavit.
2. That this affidavit is being filed for the limited purpose of placing on record necessary facts to challenge the maintainability of the objections filed by the Applicant on March 3, 2022 ("**Objections**") to the joint committee report dated January 21, 2022. Objection is particularly taken to paragraph 17. The Respondents further, crave leave of this Hon'ble Tribunal and reserve their rights to file a detailed response on merits.
3. At the outset, the Respondents deny all allegations, contentions and statements in the present Objections filed by the Applicant. Merely by reason of not dealing with any particular fact, allegation, contention, statement or insinuation contained in the Objections, the

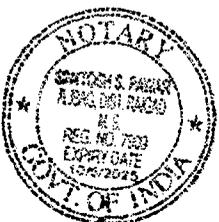


[Handwritten Signature]

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Respondents shall not be deemed to have admitted to the authenticity or veracity thereof.

4. The Respondents have dealt with all the allegations of the Applicant by various representations/replies to the joint committee dated December 8, 2021, January 4, 2022, January 15, 2022, March 16, 2022 and April 11, 2022. However, the Applicant in paragraph 17 of the Objections is raising an issue, for the first time, with regard to bridge construction on land parcels at Kharmachela village which is pending before the Hon'ble Bombay High Court in a criminal writ petition filed by the Applicant herein.
5. The Applicant in paragraph 17 of the objections is indulging in forum shopping and abusing the process of law by raising issues of land regarding construction of a bridge abutting Kharmachela village. This issue is sub-judice before the Hon'ble Bombay High Court in W.P. (Cr) 1107/2020, given the above this Hon'ble Tribunal may not like to interfere in the same in any manner. Copy of the order of the Hon'ble Bombay High Court dated March 6, 2020 in W.P (Cr) 1107/2020 is marked herewith and annexed as **Annexure- 1**.
6. The Respondents have always acted in compliance with all the requisite laws and its integrated steel plant at Dolvi is functioning with all necessary permissions, therefore the allegations made by the Applicant are baseless, misconceived, motivated and *mala fide*.
7. The Respondents reserve their rights to file a representation to the final report of the joint committee as per the timeline stipulated in the March 4, 2022 order or as and when the same is placed before this Hon'ble Tribunal.
8. Thus, the abovementioned clearly illustrate that the Objections, particularly those brought out in paragraph 17 are devoid of any merit and the allegations made therein are false and baseless which



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are liable to be outrightly dismissed by this Hon'ble Tribunal as the same issue is pending before the Hon'ble Bombay High Court.

- It is humbly submitted that inclusion of any such allegations within the scope of the Committee after finalisation of the terms of reference by the Committee, at the instance of the Applicant will result in a never ending exercise and will amount to a fishing and roving inquiry beyond the pleadings made by the Applicants before this Hon'ble Tribunal. The issues / objections now taken up by Applicant are clearly an afterthought and were not part of the original application.

Whatever stated above is true and correct to the best of my knowledge, ability and belief and we affirm it to be true.



Narayan Budappa Bolbunda

DEPONENT

Narayan Budappa Bolbunda

VERIFICATION

Verified at Alibag on this the 27-day of July, 2022 that the contents of this affidavit are true and correct, no part of it is false and nothing material has been concealed therefrom.



Narayan Budappa Bolbunda

DEPONENT

Narayan Budappa Bolbunda

BEFORE ME

Santosh S. Pawar

SANTOSH S. PAWAR
NOTARY GOVT. OF INDIA
ALIBAG, DIST. RAIGAD
NOTED & REGISTERED
AT SR. No. 1558 OF 20 22



27 JUL 2022



1007
ANNEXURE - 1

905-cri-wp-1107-20.doc

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1107 OF 2020**

Samita R. Patil and anr. ... Petitioners
V/s.
The State of Maharashtra and ors. ... Respondents

Mr. S.S. Kulkarni i/b Mr. Gauresh Khandalekar for the
Petitioners.
Mr. Deepak Thakare, PP a/w. Mr. K.V. Saste, APP for the
Respondent - State.

**CORAM : B.P. DHARMADHIKARI,
ACTING CHIEF JUSTICE &
N.R. BORKAR, J.**
DATE : MARCH 6, 2020.

P.C.

- 1] Notice returnable on 17th March 2020.
- 2] APP waives notice for respondent Nos.1 to 4 and 6 to 10.
R.P.A.D./Hamdast for completing service on the other
respondents.
- 3] Further constructions by respondent No.11 shall be
subject to the orders of this Court in the matter.
- 4] Needless to mention that the issue relates to
environment and therefore, the State Authorities shall give
attention to it and file a necessary reply without fail.

(N.R. BORKAR, J.)

(ACTING CHIEF JUSTICE)

Dinesh Sherla

TRUE COPY

1/1

PROOF OF SERVICE

1008

Johri, Yash

From: Johri, Yash
Sent: 08 August 2022 15:42
To: 'advshriramskulkarni@gmail.com'
Cc: Attri, Sumit; Pandey, Priyanshu
Subject: Service - Affidavit of R1 & R2 in OA 165 of 2020
Attachments: R1-R2 Affidavit (OA 165-2020).pdf

Dear sir,

Please find attached an affidavit on behalf of R1 and R2 in OA 165 of 2020.

Please treat this as and by way of service to you.

Best wishes,

Yash